

HATTIESBURG
PLANNING COMMISSION
SPECIAL CALLED MEETING
PUBLIC HEARING AGENDA AND STAFF REPORTS

December 20th, 2023



DEPARTMENT OF URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission Agenda

Jackie Dole Sherrill Community Center (Dining Room)

Time: 2:00 PM

12/20/2023

I. Business Meeting

1. Review and approval of the December 20th, 2023 Special Called meeting's agenda
2. Review and approval of the minutes of the December 2023 regular meeting
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

1. Presentation of Petitions for Public Hearing
 - A. Hunter Andrews, representative, and Jason Graham, owner, request approval for a preliminary plat for a major subdivision for a property located at 6214 US Hwy 98. The property is known as "Hattiesburg Market Place", located in Lamar County, Ward 3 (PPIN 24497, 37027, and 12113).
 - B. Creed Group Communities, LLC, agent for RSCO Corporation, owner, and Donald Pulliam, owner, requests approval for rezoning from B-5 (Regional Business) to R-3 (Multi-Family Residential) for a property located adjacent to 6385 Highway 49, Ward 2, Forrest County. (PPIN 26041, 26046).

III. Other Business

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION**

December 6th, 2023

The Hattiesburg Planning Commission met in regular session on December 6th, at 1:00 PM at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Amy Hinton, Chair, presided over the meeting. A quorum was indicated and the attendance was as follows:

Board Members Roll Call:

Members Present:

1. Amy Hinton, Chair
2. Rebekah Ray
3. Rhoda Pickett, Vice Chair
4. Elayne Lockett
5. Dick Conville
6. Michael Pruitt
7. Lee Anne Venable
8. Jeff Keyseear (Online)

Members Absent:

1. Carlos Wilson
2. Charles Dawe
3. Michael Dickerson

Staff Present:

1. Cory Long, Planning Manager
2. Nathan Satcher, Planner II
3. Jim Gladden, Esq.
4. Kevin Bates, Building Official
5. Wiley Quinn, Director of Urban Development
6. Andrea Garcia, Planner I

Chair Hinton declared the Hattiesburg Planning Commission meeting open and in session at 1:03 p.m.

AGENDA REVIEW

There came the matter of the December 2023 Agenda. Staff noted that item D in the Agenda was postponed until January 2024. Commissioner Ray made a motion to accept the amended agenda, seconded by Commissioner Lockett. All members present were in favor.

Motion:

Made by Commissioner Ray to approve

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett	X		
Dick Conville	X		
Mike Pruitt	X		
Lee Anne Venable	X		
Jeff Keysear (Online)	X		

MINUTES REVIEW

For November 6th, 2023 Minutes, Commissioner Lockett made a motion to approve and Commissioner Ray seconded this motion.

Motion:

Made by Commissioner Lockett

Second:

Made by Commissioner Ray

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett	X		
Dick Conville	X		
Mike Pruitt	X		
Lee Anne Venable	X		
Jeff Keysear (Online)	X		

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for November 2023.

PLANNING REPORT

There came the matter of the Planning Report by Nathan Satcher, Senior Planner. Mr. Satcher stated that the previous case presented during the Special Called Meeting (November 15th) regarding a use determination had been appealed by the applicant. The applicant was appealing the decision of the Planning Commission to uphold the use determination by the director of urban development. The appeal public hearing would be presented to the City Council on January 2nd, 2024. The Commissioners were also informed that a Special Called Meeting is scheduled for December 20th, 2023 to address two cases.

CHAIR'S REPORT

The Chair did not have a report for the meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

No new items were presented during the Public Hearing

OTHER BUSINESS

Item A:

Tabled Item from October 11th, 2023 Special Called Meeting: A petition has been filed by the City of Hattiesburg, with the Mayor and Council of the City of Hattiesburg, Mississippi, to adopt an amendment to the “Comprehensive Plan 2008-2028” and Comprehensive Zoning Ordinance No. 2330, as amended, and to amend the text of the Hattiesburg Form-Based Code, Ordinance 3325, of the City of Hattiesburg, Mississippi for the creation of a development master plan for the East Hardy, Hall Avenue, and Edwards Street corridors. The purpose of the plan is to establish the area and further define, amend, and add regulations for the “Bridging Divides, Building Opportunities: A Community-Driven Blueprint for East Hardy & Hall Avenue” development master plan. The master plan will include recommendations for zoning changes in these areas to the Planning Commission and City Council to consider for rezoning.

Discussion and Vote:

Nathan Satcher, Senior Planner, stated that additional community meetings had not yet been made for this case. He noted that The City would need additional time to coordinate those meetings before having anything additional to present. No additional information about this case was presented for the current meeting. Commissioner Conville made a motion to allow for public

comments on the item for 20 minutes. Commissioners further clarified the procedure in that they would limit each speaker to 3 minutes and allow for a total of 20 minutes for the public comment period. Commissioner Pruitt seconded this motion. Chair Hinton opened the public hearing portion of the meeting.

Motion:

Made by Commissioner Conville (to open up public comments for 20 minutes)

Second:

Made by Commissioner Pruitt

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair		X	
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett	X		
Dick Conville	X		
Mike Pruitt	X		
Lee Anne Venable	X		
Jeff Keysear (Online)		X	

Commissioners then opened up for public comments and staff collected the public comment cards. 13 cards were collected from the public to speak and staff drew the cards at random to speak, limiting each speaker to three minutes. Only seven cards were drawn during the allowed time period (the first seven opponents listed below spoke during the public hearing portion). A number of questions were raised by the citizens in opposition to this project, most of which were related to the lack of community input and changes in zoning. Public hearing portion of the meeting was closed by Chair Hinton. A discussion was held between the Commissioners and Staff. As a result, the item was not removed from the table.

Proponents:

1. None

Opponents:

1. Ray A. Payton
2. Janette Furry
3. Allena Royal
4. Lillie Dwait
5. Donnetta McAdoo
6. George Lee
7. Margaret Markwalder
8. Ardesia Eaton

9. Sue Williamson
10. Mitchell Conley
11. Paston Milton Gavin
12. Tanya Keys
13. Larry McAdoo

Item B:

Tabled from November 1st Planning Commission: Monica Tisack with the University of Southern Mississippi, representative, Cameron Nuzzo, Facility Manager of the USM ICP Park, and Kelly Lucas, representative request approval for a rezoning request from R-1A (Single-Family Residential) to a Planned Mixed-Used Development (PMU-PD) for property located around the USM Innovation and Commercialization Park located at 46 Shelby Thames Drive. The proposed area for the planned mixed-use development is approximately 500 acres that borders Classic Drive on the north and south in Forrest County, Ward 1. The Planned Mixed-Use Development will be known as "The Garden". (PPINs: 9508, 9509, 9557, and 33306).

Discussion and Vote:

The planning staff re-introduced the case. Commissioner Conville made a motion to remove this item from the table and Commissioner Lockett seconded this motion.

Motion:

Made by Commissioner Conville to remove from the table

Second:

Made by Commissioner Pruitt

Vote (To remove from the table):

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett	X		
Dick Conville	X		
Mike Pruitt	X		
Lee Anne Venable	X		
Jeff Keysear (Online)	X		

Chair Hinton then opened the public portion of the meeting. Monica Tisack, the applicant, provided information to the Commissioners regarding public outreach in this area. Questions were raised by the Commissioners regarding certain features located in the master plan. During the public hearing portion of the meeting, Mr. Robert Gwaltrey (a member of the public)

expressed concerns regarding the ownership of the properties and their potential use. Mr. Chris Leonard expressed his support for this case. Chair Hinton closed the public hearing portion of the meeting. Commissioner Conville made a motion to approve under the following conditions:

1. All subsequent site plans and changes of uses shall be treated as a plan amendment in this PMU District and must have a recommendation by the Planning Commission and be approved by the City Council following the same procedures and requirements for rezoning.

This motion was seconded by Commissioner Pruitt.

Presented by:

Monica Tisack

Proponents:

1. Chris Leonard

Opponents:

1. None

Other (neither for or against):

1. Robert Gwaltney

Motion:

Made by Commissioner Conville to approve zoning change

Second:

Made by Commissioner Pruitt

Vote (Rezoning approval):

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett		X	
Dick Conville	X		
Mike Pruitt	X		
Lee Anne Venable	X		
Jeff Keysear (Online)	X		

Item C:

Tabled from November 1st, 2023 Planning Commission Meeting: The City of Hattiesburg requests to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 1, 5, 7, 9, 10, 11, 12, and 13. More specifically for the purpose of amending language as it related to the intent and purpose of the code, allowable land uses and conditions for use,

standards of design, environmental regulations, sign regulations, administrative and enforcement regulations, subdivision regulations, and definitions. This is an abbreviated summary of the topics addressed in the proposed amendment, and interested parties are encouraged to contact City Hall to review the proposed amendment in its entirety.

Discussion and Vote:

The planning staff introduced the case. Mr. Cory Long, Planning Manager, came to speak on behalf of this proposal. No discussion was held between the Commissioners and Staff. Vice Chair, Pickett, made a motion to remove the item from the table and Commissioner Ray seconded the motion. A motion was made by Commissioner Ray to approve the case and Vice Chair, Pickett, seconded the motion.

Presented by:

Cory Long

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Vice Chair Pickett to remove from the table

Second:

Made by Commissioner Ray

Vote (To remove from the table):

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett	X		
Dick Conville	X		
Mike Pruitt	X		
Lee Anne Venable	X		
Jeff Keysear (Online)	X		

A motion was made by Commissioner Ray to approve the amendments and Vice Chair, Pickett, seconded the motion.

Motion:

Made by Commissioner Ray to approve the amendments

Second:

Made by Vice Chair Pickett

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett	X		
Dick Conville	X		
Mike Pruitt	X		
Lee Anne Venable	X		
Jeff Keyseear (Online)			ABSENT

Item D:

Remanded Item from City Council and Postponed until January 2024 Planning Commission: Dennis Pierce, owner, request approval for a preliminary plat for a major subdivision as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard in Lamar County. The extension will be known as "Cottages at Turtle Creek: Phase IV", located in Lamar County, Ward 3. (PPIN 7898, 7899, and 13368; Parcel No.: 051L-11-001.000, 051K-12-006.000, and 051L-11-040.000).

No action was taken on this case, as staff indicated the applicant requested it to be postponed until the January 3rd Planning Commission Meeting.

Other Discussion:

Cory Long noted that the administration requested a special called Planning Commission meeting on Wednesday December 13th, 2023 to address Item A, the Bridging Divides, Building Opportunities Master Plan. He noted staff would conduct public outreach before that date. Commissioners discussed with staff and made a motion to remove the item from the table in order to address it and move it forward to City Council. Commissioner Pruitt made a motion to remove the item from the table, seconded by Commissioner Ray.

Motion:

Commissioner Pruitt to remove from the table

Second:

Commissioner Ray

Vote (To remove from the table):

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett		X	
Dick Conville		X	
Mike Pruitt	X		
Lee Anne Venable		X	
Jeff Keysear (Online)	X		

Item A (Removed from table):

Tabled Item from October 11th, 2023 Special Called Meeting: A petition has been filed by the City of Hattiesburg, with the Mayor and Council of the City of Hattiesburg, Mississippi, to adopt an amendment to the “Comprehensive Plan 2008-2028” and Comprehensive Zoning Ordinance No. 2330, as amended, and to amend the text of the Hattiesburg Form-Based Code, Ordinance 3325, of the City of Hattiesburg, Mississippi for the creation of a development master plan for the East Hardy, Hall Avenue, and Edwards Street corridors. The purpose of the plan is to establish the area and further define, amend, and add regulations for the “Bridging Divides, Building Opportunities: A Community-Driven Blueprint for East Hardy & Hall Avenue” development master plan. The master plan will include recommendations for zoning changes in these areas to the Planning Commission and City Council to consider for rezoning.

Discussion and Vote:

Chair Hinton stated that no member of the public was in favor of the proposal. Pruitt made a motion to deny the proposal, Commissioner Venable seconded this motion.

Motion:

Made by Commissioner Pruitt to deny this proposal

Second:

Made by Commissioner Venable

Vote (To deny this proposal):

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett	X		
Dick Conville	X		
Mike Pruitt	X		
Lee Anne Venable	X		
Jeff Keysear (Online)	X		

A motion was then made by Commissioner Pruitt to adjourn, seconded by Commissioner Pickett.

Motion:

Made by Commissioner Pruitt

Second:

Made by Vice Chair Pickett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Elayne Lockett	X		
Dick Conville	X		
Mike Pruitt	X		
Lee Anne Venable	X		
Jeff Keyseear (Online)	X		

Adjournment:

The meeting was adjourned at 3:33

Amy Hinton, Vice Chair

Cory Long, AICP, Planning Division Manager

HPC Item: A
Hunter Andrews, Representative, Jason Graham, Owner
Request for: **Preliminary Plat Approval for Major Subdivision**



URBAN DEVELOPMENT PLANNING DIVISION

Planning Commission Case Fact Sheet

Name of Petitioner: Hunter Andrews, Representative, Jason Graham, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
6214 US HWY 98	052Q-10-044.000	24497	3
	052Q-10-044.002	37027	3
	055B-15-001.000	12113	3

Request: **Preliminary Plat Approval for Major Subdivision**

Purpose of Request: To request approval for a preliminary plat for a major subdivision for a property located at 6214 US Hwy 98. The property is known as "Hattiesburg Market Place", located in Lamar County, Ward 3 (PPIN 24497, 37027, and 12113).

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4 Zoning Districts Established

B-5 Regional Business District: The purpose of the B-5 District is to provide for retail, personal and business services, offices, and financial services in locations with convenient access to the region's population consistent with comprehensive planning policies. This district is consistent with the Regional Business District in the Comprehensive Plan.

Applicable Regulations:

SECTION 6 Dimensional Standards and Measurements

HPC Item: A
 Hunter Andrews, Representative, Jason Graham, Owner
 Request for: **Preliminary Plat Approval for Major Subdivision**

Table 6.1 Dimensional Standards

Table 6.1 Dimensional Standards										
District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Setbacks in feet				Max. Height*	Max. Impervious Surface Lot Coverage	Buffer in Feet
				Min. Front	Max. Front	Min. Side	Min. Rear			
B-5	No minimum/ 100	-	1.50	30	150	0 or 10	0	72 feet or 6 stories	90%	50

SECTION 8.3

Street Design Standards

SECTION 11

Administration and Enforcement

11.10.1.8 Subdivision Violations. The owner of a subdivision shall not transfer title to any lot in such subdivision until such time as the final plat has been approved by the appropriate authority as outlined in this Code and duly recorded in the office of the Chancery Clerk of Forrest County or Lamar County, Mississippi. Transfers prior to such approval and recording shall be deemed a violation of this Code and shall be subject to any and all remedies available to the City.

11.10.1.9 Recording Violations.

The Chancery Clerks of Forrest County and Lamar County, Mississippi shall not receive, file or record a plat of a subdivision within the jurisdiction of this Land Development Code without prior approval of the appropriate authority as outlined in this Code. Plats recorded prior to such approval shall be deemed unlawful and invalid.

SECTION 12

Process and Procedures

Categories of Development Approvals

12.3.2 Preliminary Plat Approval for Major Subdivisions

12.3.2.1 Approval Criteria.

- Conformance with the Hattiesburg Comprehensive Plan.
- Conformance with the standards of the zoning district.
- Conformance with other standards and requirements of this Code and other City policies and regulations.
- Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
- Determination that the project will have little or no adverse or

HPC Item: A
Hunter Andrews, Representative, Jason Graham, Owner
Request for: **Preliminary Plat Approval for Major Subdivision**

negative impacts upon the natural environment.

12.3.2.4 Final Plat.

- i. No Significant Change. Final plats of major subdivisions that are substantially the same as the approved preliminary plat, as determined by the Site and Design Review Committee, shall be approved administratively.
- ii. Significant Change. Final plats that exhibit any significant deviation from the approved preliminary plat, as determined by the Site Plan Review Committee, shall require approval by the Planning Commission.

12.3.2.5 Recording.

In order to be an official and legal plat, the final approved plat must be recorded along with all applicable covenants, deed restrictions and property owners' association documents with the Chancery Clerk of Forrest or Lamar County, as appropriate. The City Engineer shall ensure that the City records this information in a timely fashion.

Present Zoning:	The parcel is currently zoned B-5, Regional Business District
Present Use:	Commercial (Currently being developed)
Future Land Use:	Regional Business Corridor
Surrounding Zoning and Land Use:	North: R-1A Residential District South: B-5 Regional Business District East: B-5 Regional Business District / R-3 Multi-Family Residential District West: B-5 Regional Business District
Letters or Concerns stated:	The Planning Division Office has not received any letters or other written communications relative to this case as of December 8 th , 2023.
History / Background:	The first phase of the Hattiesburg Marketplace Subdivision was recommended for approval by the Planning Commission on May 3rd, 2023 with the recommendation of performing a traffic study for the Lamar Blvd intersection. This phase also received approval from City Council on June 20th, 2023 with conditions. The new phase of this development includes further subdivision of the areas denoted as "for future development" into 3 addition lots and parcels. The modification of their existing subdivision is subject to all state law requirements, including MS Codes 17-1-23 and 19-27-31. The conditions attached to the approval have been included at the end of this report. The developer has provided an irrevocable letter

HPC Item: A

Hunter Andrews, Representative, Jason Graham, Owner

Request for: **Preliminary Plat Approval for Major Subdivision**

of credit for \$169,000 to satisfy the street construction and completion with up to guaranteed performance of 1 year. Any incomplete construction of the streets, including street markers, lighting, and sign identifications, must be completed by the developer or the credit amount listed above shall be made available to the City of Hattiesburg for the construction of incomplete infrastructure.

A master sign plan was provided by the applicant for the common area along Highway 98 for a multi-tenant sign. The applicant provided a modification to the common area in order to have the required street frontage for a multi-tenant sign without a variance. The multi-tenant sign has already been approved for permitting, but all individual tenants will require permits for their respective signs.

A Traffic Study, as required for future subdivision by the City Council, has been provided by the developer. The traffic study conducted recommended 2 items:

1) That the area within the sight triangle in the northeast quadrant of the intersection of Lamar Boulevard with Graham Property Drive be cleared of vegetation before the development is open to the public.

2) It is recommended that a traffic signal is considered for the intersection of US Highway 98 at Lamar Boulevard whether the proposed project is constructed or not

The full traffic study has been provided as an attachment in the online CivicClerk Portal for full review.

Staff recommend adding a condition that all newly created lots within the subdivision shall also obtain partial ownership of the common areas and that the parcel's ad valorem tax value shall be assessed to each lot owner on a prorated basis as part of each lot owner's total assessment.

Option:

Approve or deny a preliminary plat for a major subdivision in the City of Hattiesburg.

Planning Commission must deem that all of the following approval criteria must be met before granting approval for the Preliminary Plat for a Major Subdivision:

12.3.2 Preliminary Plat Approval for Major Subdivisions

12.3.2.1 Approval Criteria.

- i. Conformance with the Hattiesburg Comprehensive Plan.
- ii. Conformance with the standards of the zoning district.
- iii. Conformance with other standards and requirements of this Code and other City policies and regulations.

HPC Item: A

Hunter Andrews, Representative, Jason Graham, Owner

Request for: **Preliminary Plat Approval for Major Subdivision**

iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.

v. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

HPC Item: A
Hunter Andrews, Representative, Jason Graham, Owner
Request for: **Preliminary Plat Approval for Major Subdivision**

City Council Approval Criteria for the Hattiesburg Market Place, approved on June 20th, 2023

The council considered the approval criteria required by the ordinance as follows:

1. Conformance with the Hattiesburg Comprehensive Plan.
2. Conformance with the standards of the zoning district.
3. Conformance with other standards and requirements of this Code and other City policies and regulations.
4. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
5. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

It is, therefore, ORDERED that the request of Hunter Andrews, for a major subdivision, City of Hattiesburg, Lamar County, Mississippi, be granted subject to the following conditions:

1. **Plat Conditions, & Restrictions** – add to the plat the following notes:

- a) The common area(s) parcel's ad valorem tax value shall be assessed to each lot owner on a prorated basis as part of each lot owner's total assessment.
- b) The common area(s) of this subdivision shall be owned and maintained by the owner's, commercial owner's association, and/or by the property owner(s) of the lots. In the event any lot becomes subdivided into additional lots or individual site plans, said site plans conforming to the city's Land Development Code, each property owner shall own their pro rata share, by area percentage of their lot, of the common areas. Such maintenance shall be performed so as to ensure that the common area operates in accordance the City's Land Development Code and Property Maintenance Code. Such maintenance shall include, but not be limited to repair of structures, and maintenance of sign tenants, and maintenance of the property. The city shall have a "right of access" to use the drives, parking areas, and yards of this property to make inspections of the common areas to ensure that said maintenance has been properly performed. In the event that the property owner(s) have not properly performed maintenance on the facilities, to the extent that the facility(s) poses a threat to public health, safety, or welfare, the city shall retain the right to perform emergency repairs to the facility. The cost of any such repairs will remain the responsibility of the property owner(s) and may be added as a lien on the next year's tax bill.

HPC Item: A

Hunter Andrews, Representative, Jason Graham, Owner

Request for: **Preliminary Plat Approval for Major Subdivision**

2. **Master Sign Plan** - Provide the City of Hattiesburg with a Master Sign plan, which outlines the location of all proposed multi-tenant signs.
3. **Traffic Study** - At the point that this property is subdivided in excess of what is presently shown, the developer shall provide the City of Hattiesburg with a Traffic Study completed by a Professional Engineer to project the future impact on traffic along HWY 98 and Lamar Blvd. when the development is completely built out. If the traffic study identifies necessary improvements, these shall be completed at the cost of the Developer or included in or added to the Performance Bond as required under condition No. 6.
4. **Streets** - Street identifications and traffic control signs/markings shall be installed by the developer to City specifications.
5. **Utilities** - Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) are to be installed underground.
6. **Bonds** – Bonds, in a form satisfactory to the City Engineer and the City Attorney, will be required as follows:
 - a) Performance bond – Acceptance of the plat before the street and infrastructure are completed will require a bond based on the developer's engineer's estimated cost of unfinished work, verified by the staff engineer, plus 10% until complete. Renewed annually and adjusted for inflation.
 - b) Maintenance – Upon acceptance of the plat and the completion of streets and infrastructure a bond in the amount of 5% of the total cost of all work must be remitted to the city for the duration of 1 year.

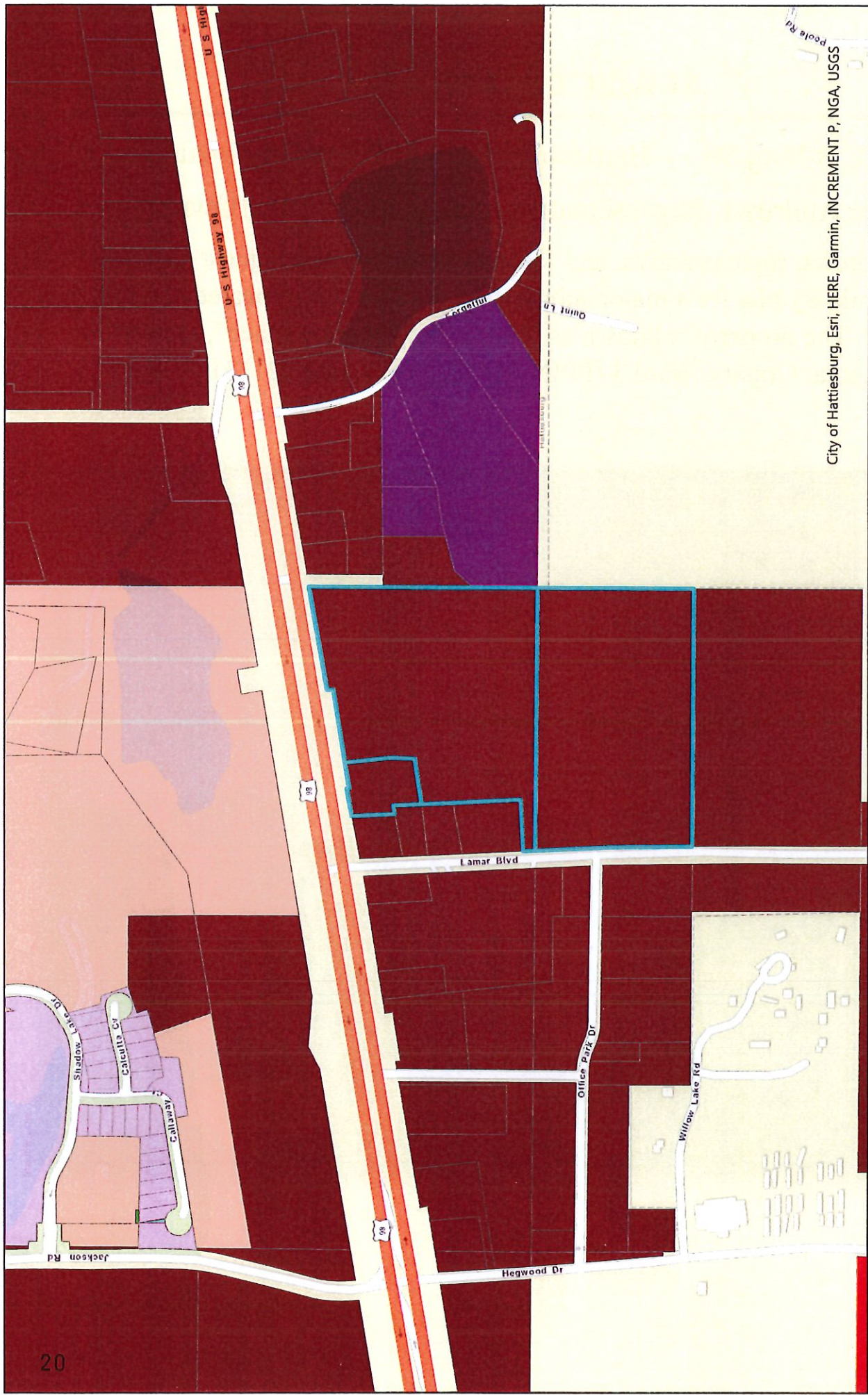
SUBJECT PARCEL

6214 U.S Hwy 98 — Hattiesburg Market Place Subdivision

Hunter Andrews, Representative and Jason Graham, Owner

Hunter Andrews, representative, and Jason Graham, owner, request approval for a preliminary plat for a major subdivision for a property located at 6214 US Hwy 98. The property is known as “Hattiesburg Market Place”, located in Lamar County, Ward 3 (PPIN 24497, 37027, and 12113).





City of Hattiesburg, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

Zones

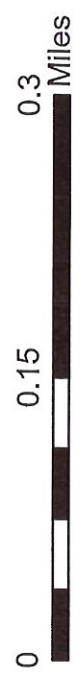
- A-1
- R-1A
- R-2
- R-3
- B-3
- B-5
- I-1

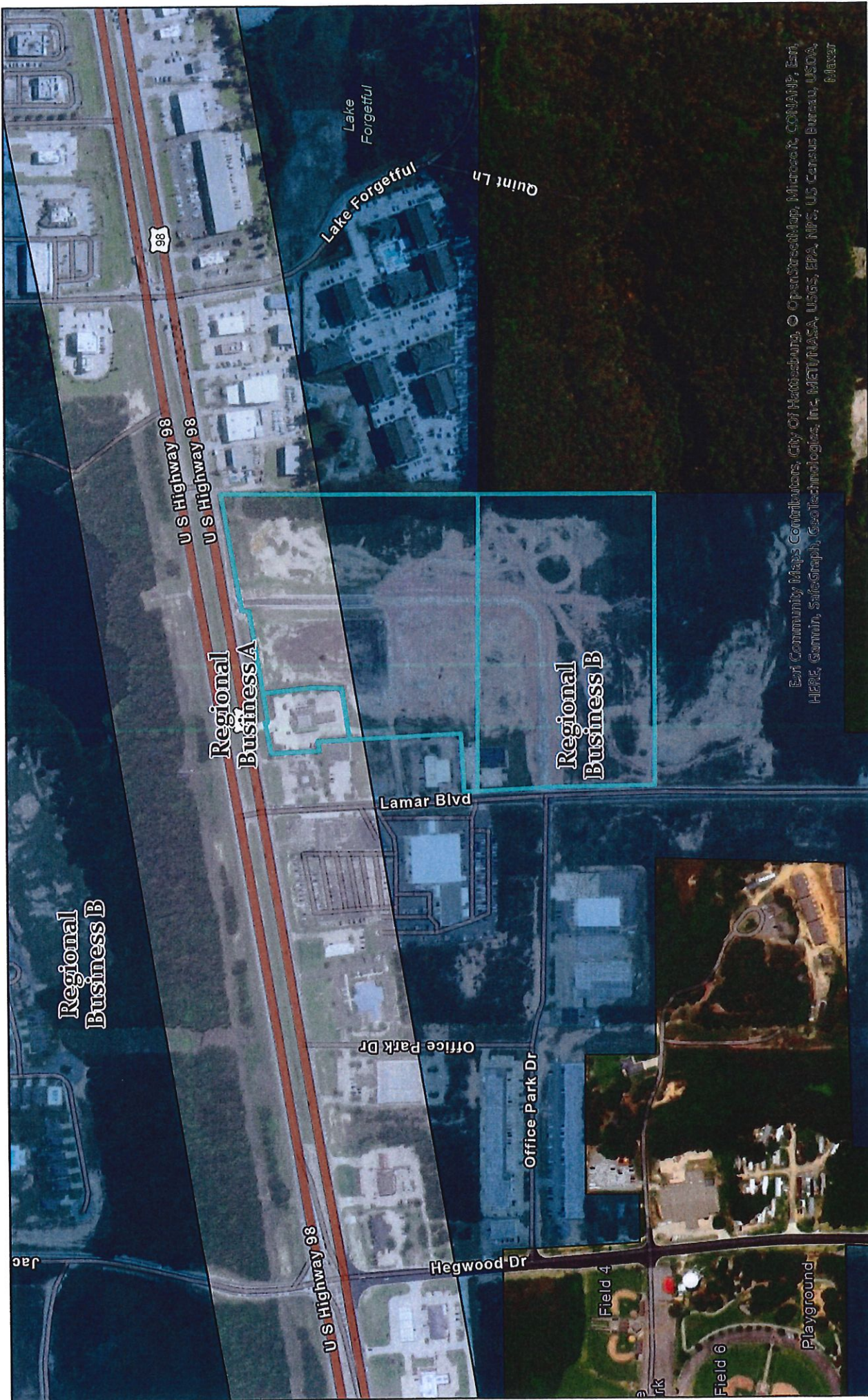
Site Information

Property is located at 6214 US Hwy 98 and is known as "Hattiesburg Market Place", PPINs 24497, 37027, and 12113 (Lamar County, Ward 3).



URBAN DEVELOPMENT
PLANNING DIVISION





Esri Community Maps Contributors, City Of Hammond, OpenStreetMap, Microsof, COMAPP, Esri,
 HERE, Garmin, SwagMap, GeoTechnology, Inc, METI/MAA, USGS, EPA, NPS, US Census Bureau, USDA,
 NOAA, Mapbox

Future Land Use

- Regional Business A
- Regional Business B

Site Information

Future Land Use map for 6214 US Hwy
 98 and surrounding area. Requested
 area for this case is denoted in blue.



**URBAN
DEVELOPMENT**
PLANNING DIVISION



Site Aerial



Surrounding Area



**Northern and Southern Direction: B-5
Regional Business**



Surrounding Area

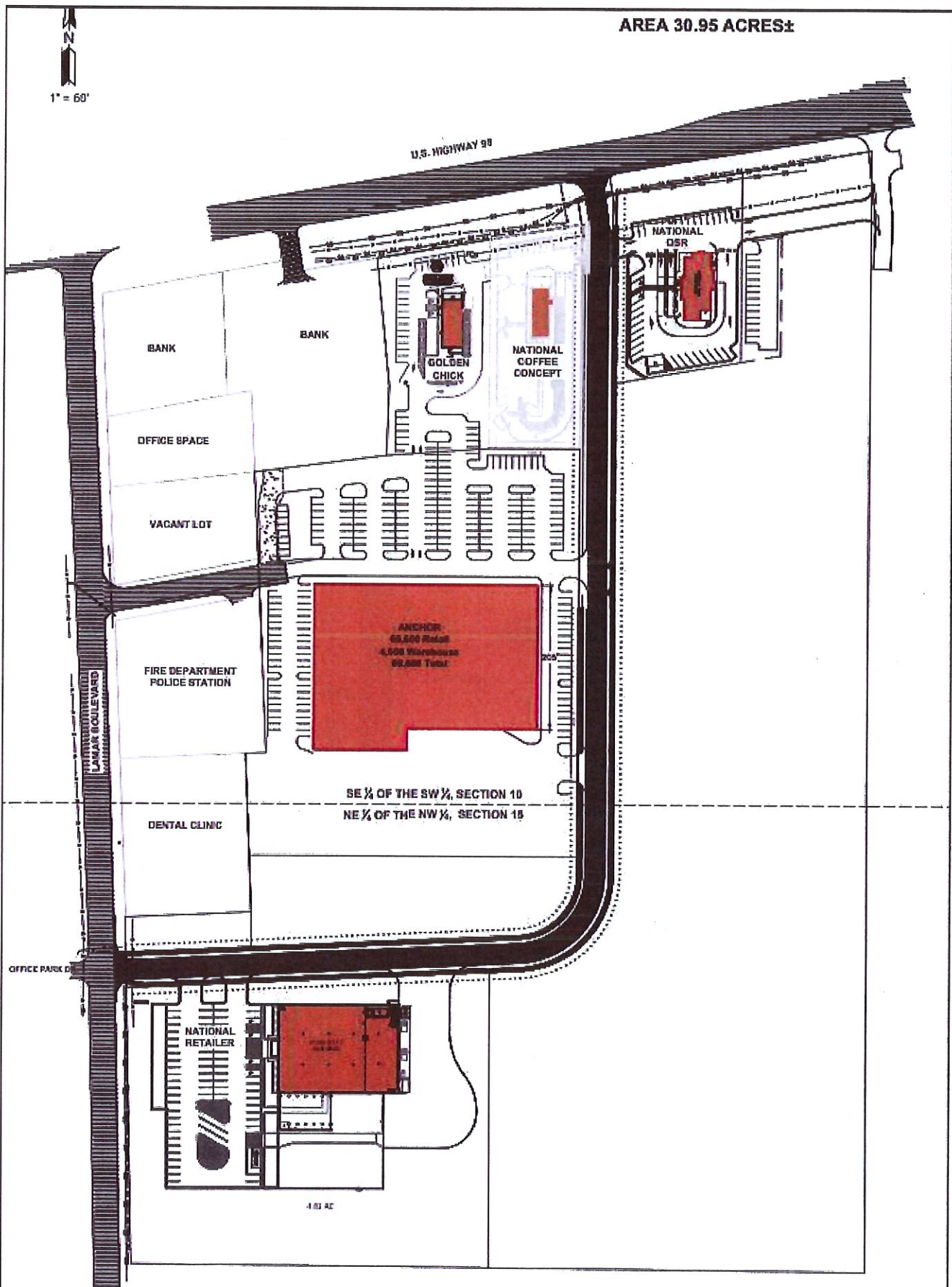
Eastern Direction: B-5 Regional Business District



Western Direction: B-5 Regional Business District



Proposed Site Area Map



Subdividing of Lot, Parcel or Tract Information (1_page)

1. Property data:

1,174,550 SF/26.97 acres

Parent Parcel / Existing lot/parcel/tract contains _____ Square Footage/Acres

Lot Area Requirement: none (per B-5 zoning)Lot Frontage Requirement: 100' at setback (per B-5 zoning)Existing use of lot/parcel/tract vacantTo be subdivided into 3 lots/parcels (including parent parcel) – outlined below.

Newly subdivide d Parcels	New lot size in square footage (sf) or acres (A)	New lot has public road frontage (yes / no)	New lot has private road frontage (yes / no)	Indicate name of public or private road(s)	Staff - Lot area & frontage requirements comply?	
					Yes	No
1.	1.15 AC	YES	NO	U.S. HIGHWAY 98 & GRAHAM PROPERTIES DRIVE		
2.	6.00 AC	YES	NO	GRAHAM PROPERTIES DRIVE & UNNAMED PUBLIC ACCESS		
3.	4.81 AC	YES	NO	LAMAR BOULEVARD & GRAHAM PROPERTIES DRIVE		
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel	1,174,550SF 26.97 acres	YES	NO	U.S. HIGHWAY 98, UNNAMED PUBLIC ACCESS, & LAMAR BOULEVARD		
	521,066 SF 11.96 acres	Total square footage of new lots (verify total matches existing parcel prior to splits)				

Use extra copies of this form if needed for additional lots.

2. Infrastructure required:

Water/Sewer X Gas X Electric X Telephone X Cable X Streets X

Item: B
Creed Group Communities, LLC, Owner and Donald Pulliam, Owner
Request for: **Zoning Change B-5 to R-3**



**Planning Commission
Case Fact Sheet**

Name of Petitioners: Creed Group Communities, LLC, Owner and Donald Pulliam, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
Near 6385 Highway 49	2-028B-05-093.00	26041	1
	2-028B-05-094.00	26046	1

Request: **Zoning Change B-5 to R-3**

Purpose of Request: Creed Group Communities, LLC, agent for RSCO Corporation, owner, and Donald Pulliam, owner, requests approval for rezoning from B-5 (Regional Business) to R-3 (Multi-Family Residential) for a property located adjacent to 6385 Highway 49, Ward 2, Forrest County. (PPIN 26041, 26046).

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4

Zoning Districts Established

4.5.7 R-3 Multi-Family Residential District: The purpose of the R-3 District is to permit medium and high-density residential uses including multi-family, two-family, and single-family structures with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected residential neighborhoods with only compatible supporting institutional uses and open space.

4.5.12 B-5 Regional Business District: The purpose of the B-5 District is to provide for retail, personal and business services, offices, and financial services in locations with convenient access to the region's population consistent with comprehensive planning policies. This district is consistent with the Regional Business District in the Comprehensive Plan.

Item: B

Creed Group Communities, LLC, Owner and Donald Pulliam, Owner

Request for: **Zoning Change B-5 to R-3**

5.4.18 Dwelling, Two Family and Multi-Family.

5.4.18.1 On infill development sites in residential districts, multi-family buildings shall be designed to blend in with surrounding single-family residential buildings to the maximum extent practicable with regards to building design, setbacks, driveway and garage design and location, porches, and sidewalks.

5.4.18.2 Site designs shall create a sense of "neighborhood" and shall meet the following requirements:

i. Buildings shall be sited with front entrances and porches oriented toward streets, drives, and plazas, rather than clustered around parking lots.

ii. An internal vehicular circulation system for private streets, when included, shall be reflective of a single-family residential street system.

iii. Parking lots shall be located behind buildings, except where it is deemed appropriate to use a parking lot as a buffer from an arterial street, or where such parking area will directly abut a property line exterior to the development site when located in or adjacent to a residential district.

iv. Walkways shall connect all buildings with parking areas, play areas, clubhouses, and existing public sidewalks adjacent to the development site.

v. Plazas, clubhouses, pools, and recreational facilities shall be centrally located, when provided.

5.4.18.3 Building designs that create variety and do not look monotonous if replicated throughout the development shall be required. Such designs shall include the following:

i. Side and rear building elevations, garages, carports, and all accessory structures shall have the same level of design, aesthetic quality, and architectural detailing.

ii. Porches, varied rooflines, and varied façade depths shall be provided to create variety and individuality of each building.

iii. Windows and projecting wall surfaces shall be used to break up larger wall surfaces, establish visual interest and provide visibility of the street and other public spaces encouraging social interaction.

iv. Protective entry courts, common vestibules, covered breeze ways, or enclosed stair halls shall be used to reduce the number of visible doors, unless designed in a row house or townhouse manner oriented toward the street.

v. Garages shall be designed to be integrated with the building design or sited so as to avoid long monotonous rows of garage doors and building walls. Garages shall be oriented so that they do not visually dominate the building façade or the streetscape.

Item: B
Creed Group Communities, LLC, Owner and Donald Pulliam, Owner
Request for: **Zoning Change B-5 to R-3**

Present Zoning: These parcels are currently zoned B-5 Regional Business District

Present Use: Undeveloped

Future Land Use: Community Business Corridor District and
Neighborhood Conservation District 2

**Surrounding Zoning
and Land Use:** North: B-5 Regional Business District/Commercial
South: R-3 Multifamily/Residential
East: B-5 Regional Business District/Commercial
West: R-1A Single Family Residential/Residential

**Letters or
Concerns stated:** The Planning Division Office has not received any letters or other
written communications relative to this case as of December 12,
2023.

History / Background: The applicants previously petitioned for a rezoning request for the
property where the Ivy Row student housing complex is currently
located at on US Hwy 49 in December of 2021 to the Planning
Commission. The parcels at that time were zoned B-3 and were
approved for rezoning to R-3 by the City Council on December 21st,
2021.

Since approval, the developer of the Ivy Row student housing has
worked through the site plan review process and received approval
for the development of their existing multi-family housing complex,
where R-3 allows this type of development by right with conditions.

The applicants are now proposing an expansion to their current
housing complex to the north and a conceptual site plan has been
included in the image sheet report for review.

Site plans presented for this type of zoning change are not bound to
the zoning of a parcel and are often different from the initially
presented plan and should not be used as a determination for the
approval of the zoning change. Commissioners should consider
whether the applicants have demonstrated that the request can
meet the basis of approval for a zoning change.

Option: **Basis for approval (Zoning Change):**

- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed
substantially so that rezoning is clearly justified and there
is a public need for the rezoning
- III. Annexation

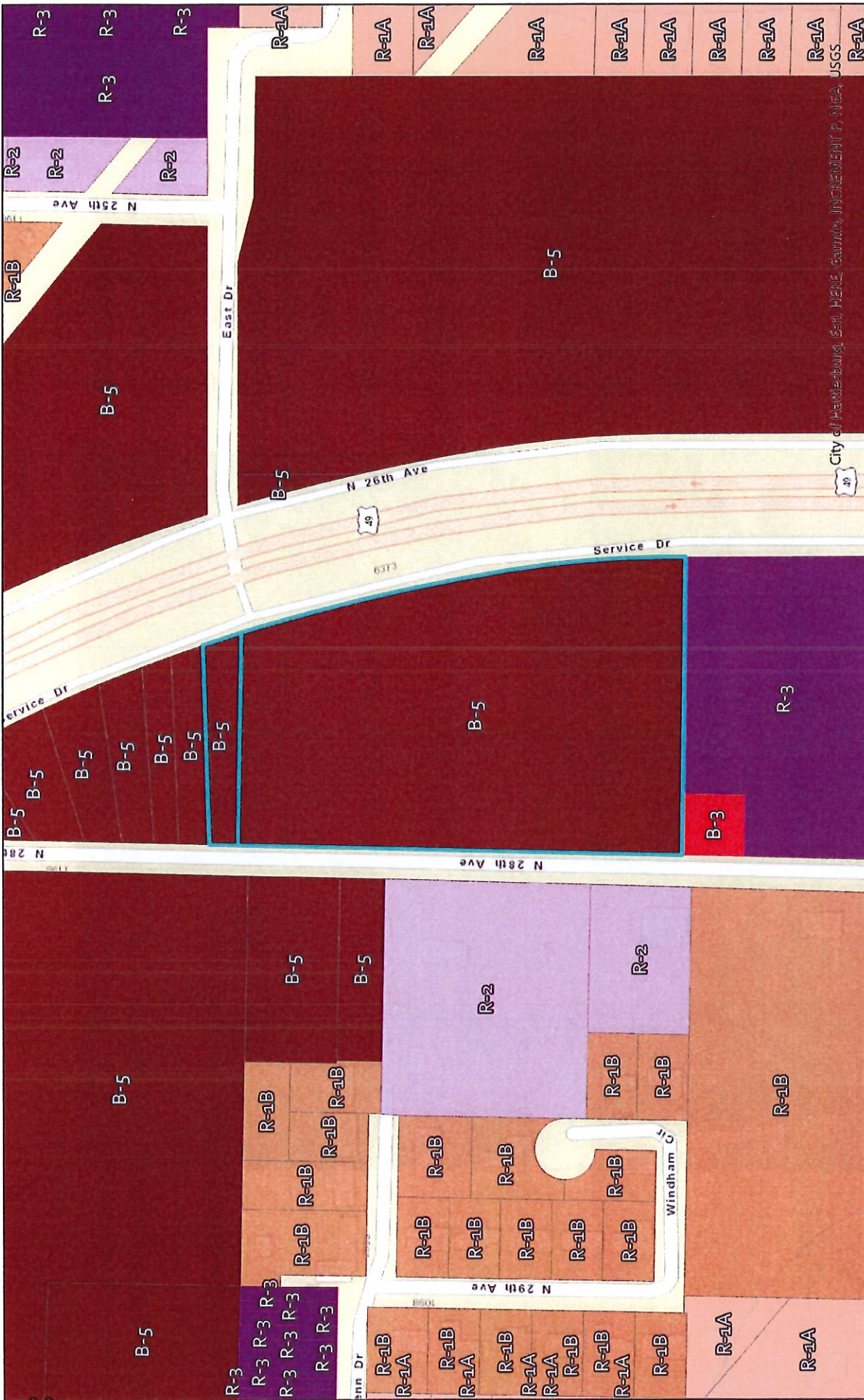
SUBJECT PARCEL

6385 Hwy 49 — Ivy Row at Hattiesburg Phase 2

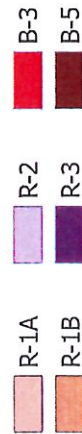
Creed Group Communities LLC, and Donald Pulliam, Owners

Creed Group Communities, LLC, agent for RSCO Corporation, owner, and Donald Pulliam, owner, requests approval for rezoning from B-5 (Regional Business) to R-3 (Multi-Family Residential) for a property located adjacent to 6385 Highway 49, Ward 2, Forrest County. (PPIN 26041, 26046).





Zones

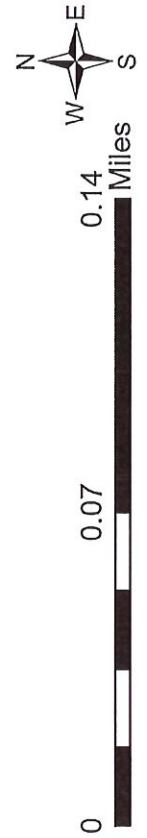


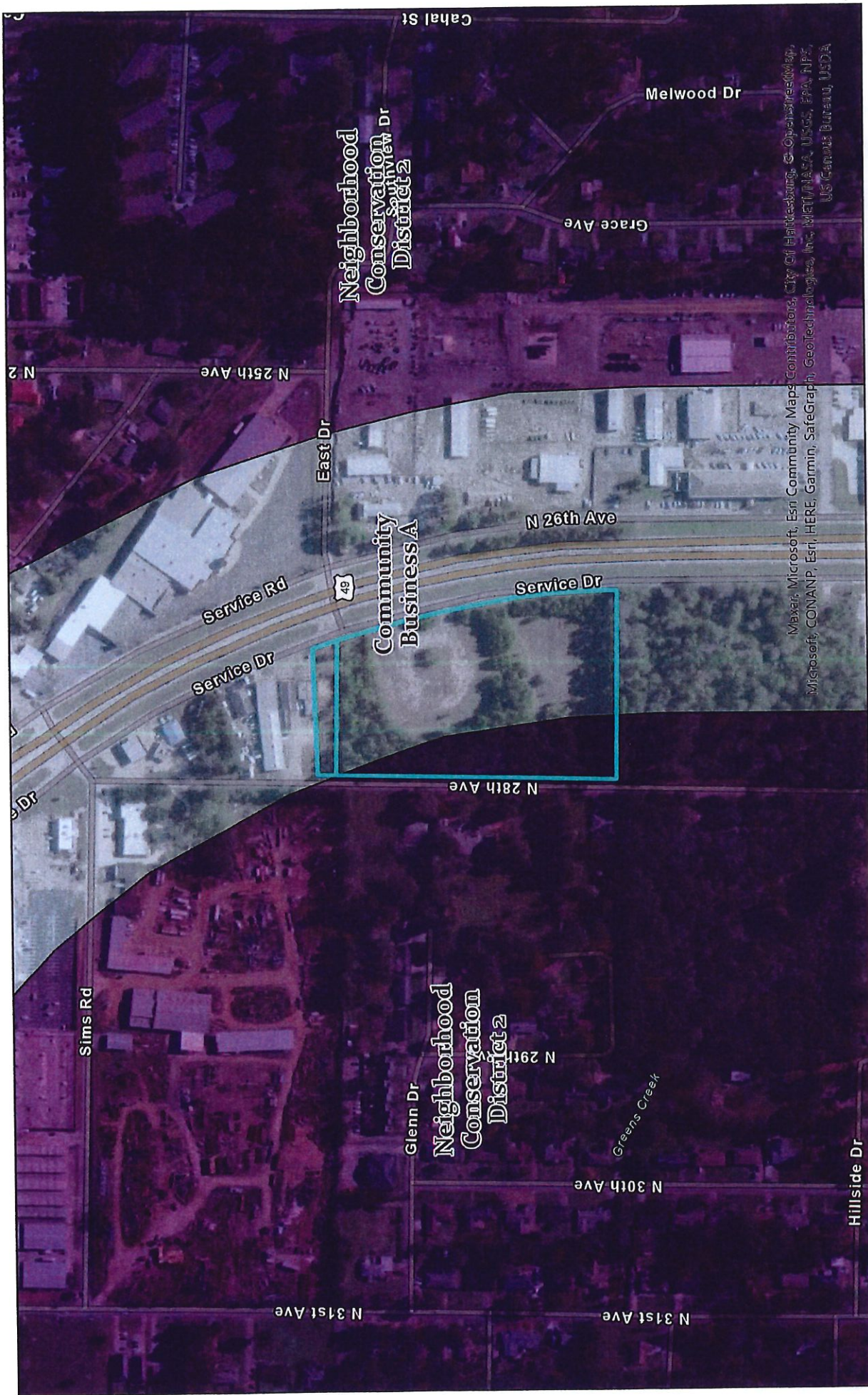
Site Information

Property is located next to 6385 Highway 49, PPINs: 26041 and 26046 (Forrest County, Ward 1).



URBAN DEVELOPMENT
PLANNING DIVISION





Future Land Use

- Community Business A
- Neighborhood Conservation District 2

Site Information

Future Land Use map for U.S. 49
 surrounding area. Requested area for
 this case is denoted in red.



**URBAN
DEVELOPMENT
PLANNING DIVISION**



Site Aerial



Surrounding Area

Northern Direction: B-5 Regional Business



Southern: R-3 Multi-Family Residential (Proposed to be expanded on with rezoning)



Surrounding Area

Eastern and Western Directions: B-5 Regional Business

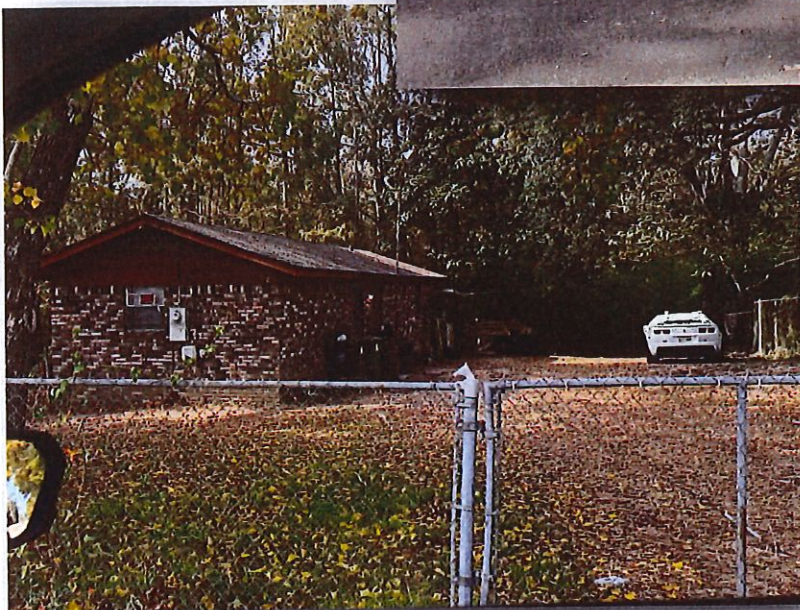


North 28th Avenue: R-2 Two-Family Residential



Surrounding Area

North 28th Avenue: R-1B Single-Family Residential

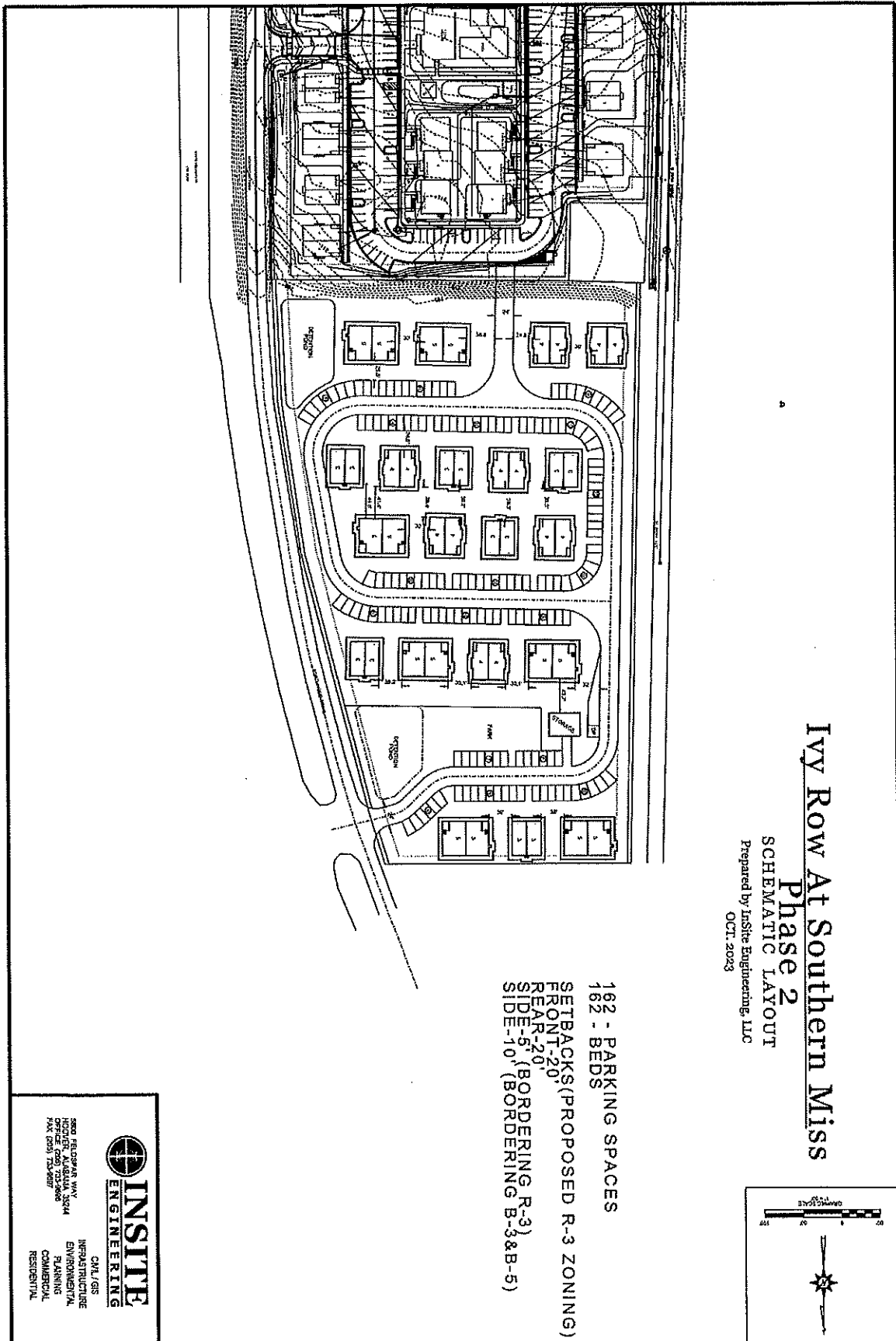


Surrounding Area

North 28th Avenue: R-2 Two-Family Residential and R-3 Multi-Family



Conceptual Site Plan (Not bound to rezoning request to an R-3)



Applicant Summary Page For Rezoning

FOR RE-ZONING APPLICANTS:

As stated in Section 12.3 in the Land Development Code, one of the following conditions must be met before a rezoning can be recommended. Check the condition(s) most applicable to your request and explain in writing.

☐ There was a mistake in the original zoning.

☒ The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning.

☐ Annexation.

Detailed explanation of condition(s) most applicable to your request:

The reason for the zoning change request covers a vast array of items. The most important item is the need for safe new student housing. This development needs to be in a location exactly like the one in question. It offers closeness to a major highway, closeness to the businesses in a functioning part of the town as well as proximity to the university. The important items that the project covers is the need for amenities within the development. A dedicated connection for access to the existing phase 1 amenities and new park for outdoors activities. This development is managed and overseen by a professional company. This property does not have topographic or utility challenges as all the other sites reviewed for this development. The project follows the intent of the comprehensive plan for this type of development.